

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Latoria Y Spann.
645 Anna Lane
Cross SC 29436

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

against-
Vanderbilt.

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. 2:25-cv-06539-BHH-MHC

(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☒ No
(check one)

2025 JUN 30 AM 11:55

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

Latoria Y Spann.
645 Ann Lane SC. 29405
Cross St Berkeley.
SC. 29436
854-278-9495

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

Vanderbilt Fin.

Defendant No. 2

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

Defendant No. 3

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

Defendant No. 4

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Court has Jurisdiction under 28 U.S.C 1331
and 1343 because action arises under the laws and
Constitution of the United States, Including the Bankruptcy
Code 11 U.S.C. 302.524 42 U.S.C. 1983

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Latoria Y Spann, is a citizen of the State of (name) South Carolina.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Vanderbilt Mortgage, is incorporated under the laws of the State of (name) Maryville Tennessee, and has its principal place of business in the State of (name) South Carolina. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

\$180,000.00 Mobile Home that is the
factory going cost.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Civil Rights Violations Under Color of Law.
Vanderbilt Mortgage and Finance Inc. I am private citizen who has
followed the law as is by all Federal court requirements and defended
my property despite targeted through unlawful tactics designed
to dispossess me of my home. This case is not a state court judgment.
Complaint is filed solely under Federal law for violations.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Declaratory Judgment that Defendant violated Federal bankruptcy
protection under 11 USC 362 and 541
Found in use manufactured housing documents to gain unlawful title.
Violate my civil rights and Due process protection 42 USC 1983
Order Reserving my right to seek compensatory statutory and punitive
Damages under applicable Federal law.
Any other relief this court deems just and proper.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

Jun 30, 2025

Signature of Plaintiff _____

Printed Name of Plaintiff _____

Leticia Y. Spann
Leticia Y. Spann**B. For Attorneys**

Date of signing: _____, 20__.

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

Telephone Number _____

E-mail Address _____

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**LoTonia Y. Spann (Debtor) Pro Se
Plaintiff,**

v.

**Vanderbilt Mortgage and Finance, Inc.
Defendant.**

Civil Action No.: _____

**FEDERAL COMPLAINT – CIVIL RIGHTS VIOLATIONS UNDER COLOR OF
LAW**

INTRODUCTION

I, LoTonia Y. Spann, am bringing this complaint in my personal capacity to expose the fraud, procedural abuse, and civil rights violations committed by Vanderbilt Mortgage and Finance, Inc. I am a private citizen who has followed the law, abided by all federal court requirements, and defended my property despite being targeted through unlawful tactics designed to dispossess me of my home.

This case is not an appeal of state court judgments. This complaint is being filed solely under federal law for violations of my constitutional and statutory rights, including violations of the automatic stay and discharge injunction under the United States Bankruptcy Code, as well as violations under 42 U.S.C. § 1983 for due process violations committed by Vanderbilt under color of state law.

JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 1331 and § 1343 because this action arises under the laws and Constitution of the United States, including the Bankruptcy Code (11 U.S.C. §§ 362, 524) and 42 U.S.C. § 1983.
2. Venue is proper in this District under 28 U.S.C. § 1391 because the events giving rise to these claims occurred in South Carolina, and the Defendant conducts business within this district.

PARTIES

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JUN 30

3. I, LoTonia Y. Spann, am the Plaintiff, a resident of Berkeley County, South Carolina, and owner of the manufactured home located at 645 Anna Lane, Cross, SC 29436.

4. The Defendant, Vanderbilt Mortgage and Finance, Inc., is a financial entity with offices at PO Box 9800, Maryville, Tennessee 37802-9800, which does business in South Carolina and operates as a debt collector and lienholder.

FACTUAL BACKGROUND AND VIOLATIONS

5. I purchased a manufactured home (VIN: WHC027167GAAB, Model: 30CEA28684AH21, Year: 2021) through Cascade Financial Services, with delivery and title issued in December 2022. The lien was satisfied and released by Cascade on March 11, 2023.

6. Vanderbilt Mortgage submitted a fraudulent lien to the South Carolina DMV, using an MPOA dated February 23, 2023—months after the original lien had already been released and satisfied.

7. Vanderbilt never submitted a valid assignment, lien transfer, or any proof that it lawfully obtained rights to the collateral from Cascade. Yet they claimed lienholder status by submitting documents that were not notarized, lacked the VIN, and had no legal authority.

8. On February 21, 2024, Vanderbilt obtained a default judgment in Berkeley County by filing as if the home were real property, despite knowing it is registered as personal property with the SCDMV and has never been converted.

9. As of January 2025, I was under the protection of a **federal Chapter 7 discharge** and a **Temporary Restraining Order** filed in federal court. Vanderbilt ignored both and continued to pursue actions in state court, serving me without first obtaining relief from the bankruptcy court.

10. On August 13, 2024, Vanderbilt submitted a DMV title application using the MPOA, despite the fact I was not in any bankruptcy proceeding at that time and had just submitted a loan modification request. The timing suggests tampering and misuse of documents during an open negotiation.

11. In multiple court filings, Vanderbilt presented the home as real property, even though they knew the wheels had never been removed and the property was not affixed or converted. That representation was false and calculated to gain jurisdiction in Common Pleas court improperly.

12. They submitted an “Allonge to Note” in court which is not notarized, lacks any VIN or collateral details, and falsely claims Cascade assigned the contract—another attempt to mislead courts and gain unlawful control over my home.

13. As of June 2025, my credit report shows no active debt associated with Vanderbilt, no reported lien, and no collection activity. The manufactured home does not show as encumbered on my consumer credit file. Yet Vanderbilt continues to act as if I owe a live debt, in violation of federal discharge protections. I reserve the right to amend this complaint to seek compensatory and punitive damages once this matter is resolved.

CAUSES OF ACTION

Count 1— Violation of Automatic Stay and Discharge Injunction (11 U.S.C. §§ 362, 524)

14. Vanderbilt violated the federal bankruptcy stay and later the discharge injunction by pursuing collection, service of process, and legal filings without returning to bankruptcy court.

Count 2 – Fraudulent Use of MPOA and Manufactured Home Documents to Obtain Title by Deception

15. The Manufactured Housing Limited POA (MPOA) was dated 2/23/2023 and used in August 2024 to submit a title to the DMV. That submission came after my Chapter 13 had closed and before any Chapter 7 filing, and was not disclosed to the bankruptcy court. This MPOA was used deceptively and is not an actual assignment of lien.

Count 3 – Violation of Civil Rights under 42 U.S.C. § 1983 – Procedural Due Process

16. By using the courts, DMV, and title process under color of law without notifying me or presenting valid proof of assignment, Vanderbilt violated my right to due process. This included presenting a home as real property when they knew it was personal property, and acting with legal authority they never lawfully acquired.

Count 4 – Misclassification of Personal Property as Real Property to Justify Unlawful Seizure

17. My home is a titled vehicle under South Carolina law and registered with the DMV as personal property. It is not affixed to land, and no affidavit of conversion has ever been filed. Filing a civil action in Common Pleas without proper classification was a violation of law and used to wrongfully take judgment.

Count 5 – Attempted Collection of a Discharged Debt / Credit Report Evidence

18. As of June 2025, Vanderbilt continues to pursue the home as if a live debt exists. My credit file shows no balance or reporting of any lien or active loan. Their actions violate the bankruptcy discharge protections.

PRAYER FOR RELIEF

WHEREFORE, I respectfully assert the following legal relief under federal law:

A. Declaratory judgment that the Defendant violated federal bankruptcy protections under 11 U.S.C. §§ 362 and 524;

B. Declaratory judgment that the Defendant committed fraud in using manufactured housing documents to gain unlawful title;

C. Declaratory judgment that the Defendant acted under color of law to violate my civil rights and due process protections under 42 U.S.C. § 1983;

D. An order reserving my right to seek compensatory, statutory, and punitive damages under applicable federal law;

E. Any other relief this Court deems just and proper.

Dated: June 30, 2025

Respectfully submitted,

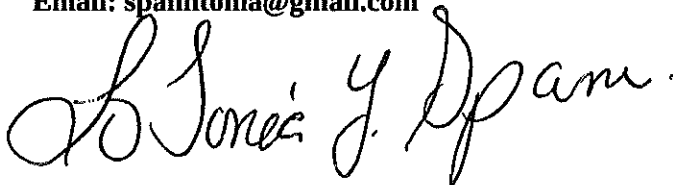
LoTonia Y. Spann (Debtor) Pro Se

645 Anna Lane

Cross, SC 29436

Phone: 854-278-9495

Email: spanntonia@gmail.com

A handwritten signature in black ink, appearing to read "LoTonia Y. Spann", is written over the typed name and contact information.